

United States District Court
District of Massachusetts

<p>RICHARD KAPLAN,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 40px;">v.</p> <p>FIRST HARTFORD CORPORATION,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action Nos.</p> <p>04-10402-NMG</p> <p>05-10320-NMG</p> <p>06-01424-NMG</p> <p>CONSOLIDATED</p>
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ORDER

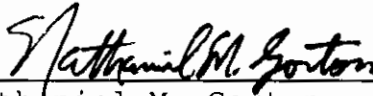
GORTON, J.

On the eve of trial in this action with respect to allegations of the plaintiff, Richard Kaplan ("Kaplan"), that the defendant, First Hartford Corporation ("FHC"), violated proxy regulations set forth in Section 14(e) of the Securities Exchange Act of 1934, 15 U.S.C. § 78n(e), plaintiff has moved to postpone the trial until September, 2006, and to compel defendant to make witnesses available for depositions. After consideration of memoranda in support of and opposition to the pending motions, the Court makes the following rulings:

- 1) motion of Plaintiff, Richard E. Kaplan, for Continuance of the Trial (Docket No. 38 in Case No. 04-10402) is **ALLOWED** in part, and **DENIED**, in part. The jury-waived trial is rescheduled to commence on May 15, 2006, at 9:00 a.m., and
- 2) motion of Plaintiff, Richard E. Kaplan, to Compel Depositions (Docket No. 40 in Case No. 04-10402) is

ALLOWED, provided, however, that the permitted depositions are to be completed no later than Tuesday, May 2, 2006, on which date discovery will be closed.

So ordered.



Nathaniel M. Gorton
United States District Judge

Dated: April 24, 2006